

REMARKS

STATUS OF THE CLAIMS

In accordance with the foregoing, claims 1 and 16-17 have been amended. New claim 22 has been added. Claims 1-22 are pending.

No new matter is being presented, and approval of the amended claims is respectfully requested.

REJECTIONS OF CLAIMS 1-5, 11 AND 16-18 UNDER 35 U.S.C. §102(e) AS BEING ANTICIPATED BY PIRILA (U.S. PATENT NO. 6,674,860)

The rejections of claims 1-5, 11 and 16-18 are respectfully traversed and reconsideration is requested.

On page 3, item 4, and in the Response to Arguments, on page 2, item 2, of the Action, the Examiner asserts that Pirila discloses that the position recording apparatus can decrypt the encrypted position information by using decryption data only when the terminal sends the decryption data to allow the position recording apparatus to decrypt the encrypted position information and the position recording apparatus receives the decryption data from the terminal (citing Pirila, column 5, lines 19-25).

Applicants respectfully disagree with the Examiner's interpretation of Pirila. Pirila discloses that the base station sends a decryption key to the mobile station in addition to the encrypted location information of the base station. The mobile station calculates the location coordinates of the mobile station by using the decrypted location information and the observed time difference. The mobile station further can transfer the calculated location coordinates to the base station.

However, in Pirila, the base station holds and manages a decryption key used for decrypting data sent from a mobile station. Consequently, the base station can always decrypt location coordinates sent by the mobile station by using the decryption key.

The portion of Pirila cited by the Examiner discloses that the mobile module comprises means for decrypting the information using a decryption key and means for receiving said decryption key from a mobile station. Thus, it appears that the Examiner interprets the feature of a mobile station sending a decryption key to the mobile module, as disclosed by Pirila, as equivalent to using decryption data only when the terminal sends the decryption data to allow the position recording apparatus to decrypt the encrypted position information, as recited in independent claims 1, 16 and 17.

In the Advisory Action, the Examiner states that nowhere in the claims is there a

disclosure of where the decryption data is being managed. However, claim 1, for example, clearly recites that the terminal sends the decryption data (e.g., a decryption key, not to be confused with *decrypted* data) to allow the position recording apparatus to decrypt the encrypted position information. Thus, one of ordinary skill in the art would clearly understand that the terminal manages the decryption data.

Further, the Examiner states that Pirila discloses that decryption and location calculations may take place in a mobile station's intelligent module if it is desirable to keep the base station located information confidential. Thus, the decryption data is managed at the terminal side (citing Pirila, column 6, lines 57-63).

In fact, Pirila discloses that the mobile station receives the encrypted data and the decryption key from the base station (see column 6, lines 64-66). In contrast, the terminal, as recited in independent claim 1, for example, sends the encrypted data and the decryption key to the position recording apparatus, and the position recording apparatus decrypts the encrypted data by using the decryption data only when receiving the decryption data.

Further, Pirila's encrypted data is position information of the base station and the base station transmits the encrypted data to the mobile station. In contrast, the encrypted data, as recited in claim 1, for example, is position information of the terminal, and the terminal transmits the encrypted data to the position recording apparatus. Thus, the operation of Pirila is essentially the opposite of that recited in independent claim 1, for example.

Moreover, in the final Office Action, at page 2, item 2, the Examiner states that Pirila also discloses that the intelligent module comprises means for receiving a decryption key from a mobile station, citing column 5, lines 19-25 of Pirila. However, according to Pirila, the mobile station's intelligent module is located in the mobile station and is part of the mobile station. Thus, the intelligent module does not correspond to the position recording apparatus, as recited in independent claim 1, for example.

Therefore, independent claim 1, for example, for further clarification, is amended herein to recite a position recording apparatus, remotely located from the terminal, communicating with the terminal through a radio network, receiving the position information transmitted from the terminal through the radio network. Independent claims 16 and 17 are amended to recite similar features.

Therefore, it is respectfully submitted that independent claims 1, 16 and 17 patentably distinguish over the cited art and should be allowed. Dependent claims 2-5, 11 and 18 inherit the patentability of their respective base claims and, thus, also patentably distinguish over the prior art.

REJECTIONS OF CLAIMS 6-10, 12-15 AND 19-21 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER PIRILA IN VIEW OF HAVINIS ET AL. (U.S. PATENT NO. 6,216,007)

Claims 6-10 and 12-15 depend from independent claim 1, which, as stated above, patentably distinguishes over Pirila and should be allowed. Claims 19-21 depend from claim 17, which, as stated above, also should be allowed.

It is further submitted that Havinis et al. fails to cure the deficiencies of Pirila, discussed above, and thus it is respectfully submitted that dependent claims 6-10, 12-15 and 19-21 patentably distinguish over the prior art.

NEW INDEPENDENT CLAIM 22

New claim 22 recites receiving encrypted position information relating to the position of at least one mobile body, transmitted through a radio network from a remote terminal of the mobile body. Therefore, for at least the reasons provided above for the independent claims, it is respectfully submitted that new claim 22 also patentably distinguishes over the cited art.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Serial No. 10/720,087

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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